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Merchant & Gould

An Intellectual Property Law Firm

A Professional Corporation

Fax Transmission

February 24, 2006

TO:

| Commissioner for Patents | FROM: Mark T. Skoog |
|--|-------------------------|
| P.O. Box 1450 Alexandria, Virginia 22313-1450 | OUR REF: 163.1438US01 |
| | TELEPHONE: 612.332.5300 |

Total pages, including cover letter: 3

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Title of Document Transmitted: <u>COMMENTS ON STATEMENT OF REASONS FOR</u>
ALLOWANCE

Applicant: WEI ET AL.
Serial No.: 09/905,189
Filed: JULY 13, 2001
Group Art Unit: 1616
Our Ref. No. 163,1438US01

Confirmation No. <u>3059</u>

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Name: Mark T. Skoog

Reg. No.: 40,178

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Kay Fahland

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Date

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S/N 09/905,189

FEB 24 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

WEI ET AL.

Examiner:

J. PAK

Serial No.:

09/905,189

Group Art Unit:

1616

Filed:

JULY 13, 2001

Docket No.:

163.1438US01

Date of Notice of

January 9, 2006

Confirmation No.

3059

Allowance:

Title:

IN SITU MONO- OR DIESTER DICARBOXYLATE COMPOSITIONS

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on

2-24-06

Name: Key Fonland

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MS ISSUE FEE Commission for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants acknowledge the allowance of claims 1, 4-7, 16-20, 24-30, 33, and 35-47 in the subject application by the Examiner with appreciation. Applicants acknowledge and appreciate the effort put into the Examiner's Amendment.

The Examiner's Amendment amends claim 18. Applicants believe that this amendment is intended to refer to claim 19. The word "phosphonate" is in line 1 of claim 19, but not of claim 18.

Applicants agree with the Examiner's Statement of Reasons for Allowance to the extent that the claims of the present invention are patentable over the references in the record.

Applicants expressly traverse the Examiner's Statement of Reasons for Allowance to the extent that any comment is intended or has the effect of limiting a claim scope, explicitly or implicitly, by not reciting verbatim the respective claim language, or is intended or has the effect of limiting

a claim scope by stating or implying that all the reasons for patentability are in any way fully enumerated.

Applicants further point out that the reasons for allowance set forth by the Examiner are not the only reasons that the claims 1, 4-7, 16-20, 24-30, 33, and 35-47 are allowable. Further reasons for allowance of the claims beyond those enumerated by the Examiner are described and set forth in the Applicants' specification. In addition, structures that perform substantially the same function in substantially the same way to achieve substantially the same results in a 1, 4-7, 16-20, 24-30, 33, and 35-47 are included within the scope of the claims.

Respectfully submitted,

MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, MN 55402-0903

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Mark T. Skoog Reg. No. 40,178

Date: F26 24, 200

MTS:kf

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